

VIRGINIA:

BEFORE THE BOARD OF OPTOMETRY

IN RE: SOLOMON HOLDSVEIG, O.D.
License No.: 0601-000162
Complaint No.: 95-00381 (55524)

CONSENT ORDER

Pursuant to §§ 9-6.14:11 and 54.1-2400(8) of the Code of Virginia, an Informal Conference Committee ("Committee") of the Virginia Board of Optometry ("Board"), composed of Charles W. Harrill, O.D., and Gordon Jennings, O.D., met with Solomon Holsveig, O.D., on May 2, 1996 in Henrico County, Virginia. Dr. Holsveig appeared in person and was not represented by counsel. The purpose of the Informal Conference was to receive and act upon evidence concerning the allegations in the Notice of Informal Conference dated March 7, 1996.

FINDINGS OF FACT

After consideration of the evidence and statements concerning the allegations, the Committee makes the following Findings of Fact:

1. Solomon Holsveig, O.D., holds license number 0601-000162 issued by the Virginia Board of Optometry.
2. During the course of Dr. Holsveig's practice with Coastal Vision Care, Virginia Beach, Virginia, he indirectly practiced as a sub-lessee of or in a commercial or mercantile establishment, namely Colonial Optical Company of Tidewater, Virginia ("Colonial"), which collected fees for his services provided to patients which fees were subsequently turned over to Coastal Vision Care.

CONCLUSIONS OF LAW

The Board concludes that Finding of Fact #2 constitutes a violation of § 54.1-3205 and § 54.1-3215(15) of the Code of Virginia (1950), as amended.

CONSENT

Solomon Holsveig, O.D., by affixing his signature hereon, agrees to the following:

1. He has been advised specifically to seek the advice of counsel prior to signing this document;

2. He is fully aware that without his consent, no legal action can be taken against him except pursuant to the Virginia Administrative Process Act, § 9-6.14.1 et seq of the Code of Virginia;
3. He has the following rights, among others:
 - a. the right to a formal fact-finding hearing before the Board;
 - b. the right to representation by counsel; and
 - c. the right to cross-examine witnesses against him.
4. He waives all rights to a formal hearing;
5. He admits the truth of the above Findings of Fact; and
6. He consents to the following Order affecting his license to practice optometry in the Commonwealth of Virginia.

ORDER

WHEREFORE, on the basis of the foregoing Findings of Fact, Conclusions of Law, and with the consent of the licensee, it is hereby ORDERED that Solomon Holsveig, O.D., shall CEASE AND DESIST from practicing in violation of § 54.1-3215(15), as an indirect employee of Colonial Optical Company of Tidewater, Virginia. It is further ORDERED that:

2. Dr. Holsveig shall be assessed a monetary penalty of ONE HUNDRED DOLLARS (\$100.00), said penalty to be paid to the Board by certified check or money order within thirty (30) days from the date of entry of this Consent Order. If said monetary penalty is not received within the prescribed deadline, an additional ONE HUNDRED DOLLAR (\$100.00) late fee shall be assessed weekly, up to a maximum of ONE THOUSAND DOLLARS (\$1000.00). Failure to pay the full monetary penalty plus the additional assessment within one hundred (100) days of the date of entry of this Consent Order shall constitute grounds for an administrative proceeding.
3. Dr. Holsveig shall maintain a course of conduct commensurate with the requirements of Chapter 32, Title 54.1 of the Code of Virginia (1950), as amended, and the Board of Optometry Regulations.

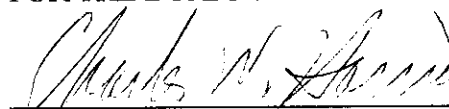
Any violation of the foregoing terms and conditions of this Consent Order or any statute or

S. Holsveig, O.D.

regulation governing the practice of optometry in the Commonwealth of Virginia shall constitute grounds for the suspension or revocation of the license of Solomon Holsveig, O.D., and an administrative proceeding shall be convened to determine whether Dr. Holsveig's license to practice optometry in the Commonwealth shall be suspended or revoked.

Pursuant to § 9-6.14:14 of the Code of Virginia, the signed original of this Consent Order shall remain in the custody of the Department of Health Professions as a public record and shall be made available for public release, inspection and copying upon request.

FOR THE BOARD:



Charles W. Harrill, O.D.
President

ENTERED: 5/15/97

SEEN AND AGREED TO:

Solomon Holsveig *ed*
Solomon Holsveig, O.D.

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF Virginia Beach

Subscribed and sworn to before me, a Notary Public in and for the city/county of
Va Beach, this 16 day of April, 1997, by Solomon Holsveig,
O.D.

Jacqueline A. Zalas
Notary Public
My Commission Expires: 2-28-01

Certificate of Service

I hereby certify that a true copy of the foregoing Consent Order was mailed to Solomon Holsveig, O.D., at 224 Cavalier Drive, Virginia Beach, Virginia 23451 and his counsel, Thomas S. Carnes, Esquire, Pembroke Office Park, Pembroke one-Fifth Floor, Virginia Beach, Virginia 23462-2989, on the 29th day of May, 1997.

Elizabeth A. Carter, Ph.D.
Elizabeth A. Carter, Ph.D.
Executive Director
Board of Optometry